

counsel in the same format in which the Commission received them from the third parties. Thus, those Third Party Documents that contained metadata were produced to Farmer's counsel with that metadata.

4. The Commission produced to Farmer's counsel every document, together with its metadata, that the Commission identified in its summary judgment motion as containing particular metadata. For example, in its Statement of Undisputed Facts [Dkt. No. 54], the Commission identified metadata associated with a January 13, 2012 letter and a chart, both of which Farmer emailed to Pennaluna. (Stmt. ¶ 49; Appx. 000634-637.) The Commission produced to Farmer each of these documents together with their metadata during discovery.

Farmer's Counsel's Inquiry about Metadata


5. Attached hereto as Exhibit A is a true and correct copy of email correspondence between Kevin Edmundson, counsel for Farmer, and Matthew J. Gulde, counsel for the Commission, relating to Farmer's counsel's inquiry about metadata made on June 6, 2016.

Farmer's Interrogatories and the Commission's Responses

6. Attached hereto as Exhibit B is a true and correct copy of the Commission's Responses to Farmer's First Set of Interrogatories. Each response is preceded by the text of the interrogatory to which the response is being furnished.

7. I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 23rd day of June, 2016.



Nikolay V. Vydashenko